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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,608	02/20/2002	Shantanu Sarkar	062891.0634	9550

5073 7590 08/30/2006

BAKER BOTTS L.L.P.  
2001 ROSS AVENUE  
SUITE 600  
DALLAS, TX 75201-2980

EXAMINER
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KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/081,608		SARKAR ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Thjuan P. Knowlin		2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-22,25-51,54 and 55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-6,9-22,25-46,51 and 54-60 is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-22, 25-51, 54, and 55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on July 03, 2006 has been entered. Claims 1, 15, 30, 40, and 51 have been amended. Claims 7, 8, 23, 24, 52, and 53 have been cancelled. Claims 58, 59, and 60 have been added. Claims 1-6, 9-22, 25-51, 54, and 55 are now pending in this application, with claims 1, 2, 15, 30, 40, 51, and 56-60 being independent.

### ***Allowable Subject Matter***

2. Claims 1, 3-6, 9-22, 25-46, 51, and 54-60 are allowed.

3. The following is an examiner's statement of reasons for allowance: The invention as now claimed is not disclosed nor rendered obvious in view of the prior art of record. As to claims independent claims 1, 15, 30, 40, 51, and 56-60, the prior art of record fails to teach or suggest, alone or in combination, the recited method and system, in which an indication of a request for text is received in response to an action selected from the group consisting of a participant placing the conference call on hold and a participant muting the call. No prior art was found that discloses or teaches the limitations of claims 1, 15, 30, 40, 51, and 56-60.

4. Claims 3-6, 9-14, 16-22, 25-29, 31-39, 41-46, 54, and 55 are dependent upon claims 1, 15, 30, 40, and 51, respectively, therefore, claims 3-6, 9-14, 16-22, 25-29, 31-39, 41-46, 54, and 55 are allowed.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Caldwell et al (US 7,027,986).

7. In regards to claim 2, Caldwell discloses a method for conducting a conference call between two or more participants, comprising: receiving an indication of a request for text form a participant of the conference call (for example, the request may simply be the indication that a hearing-impaired individual desires/needs to communicate via a voice/telephone connection) (See col. 3 lines 10-29 and col. 5 lines 3-17); in response to the indication from the participant, converting any speech of the other participants of the conference call into text (See col. 5 lines 18-27); sending the text to a device (See Fig.2 and TV/local monitor 61) associated with the participant from which the indication

Art Unit: 2614

of a request for text was received, the device operable to display the text (See col. 5 lines 28-40); and further comprising sending the identity (i.e., the name) of each participant of the conference call to the device, wherein the identity is associated with the text associated with the speech of each participant (See col. 2 lines 4-10 and col. 6 lines 20-44).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 47-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell et al (US 7,027,986).
9. In regards to claims 47-50, Caldwell teaches that the communications system is "suited for use in almost any type of network, such as a packet data network (Internet Protocol (IP))..." (See col. 1 lines 42-46) and that the intercommunication of PSTNs and IPs, via conventional gateways and interfaces, is known in the art (See col. 3-4 lines 55-5). As can be see in Fig. 2, the IP network 51 of Caldwell, is connected to the device (i.e., the TV/local monitor 61), which displays the text (See col. 3-4 lines 55-5 and col. 5 lines 28-40). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the use of an Internet Protocol telephone transmitting a request for data, and an Internet Protocol display receiving the data, as a

way of assisting the communication needs of hearing-impaired subscribers, by receiving and storing speech packets, in which the speech data are buffered and converted from speech into text.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-6, 9-22, 25-51, 54, and 55 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chandler et al (US 6,477,491) teach a system and method for providing speaker-specific records of statements of speakers. Caldwell et al (US Patent Application Publication: Pub. No.: US 2006/0106602 A1) teach a method and device for providing speech-to-text encoding and telephony service. Caldwell et al (US Patent Application Publication: Pub. No.: US 2003/0163310 A1) teach a method and device for providing speech-to-text encoding and telephony service. Korall et al (US 6,996,531) teach an automated database assistance using a telephone for speech based or text based multimedia communication mode. Cermak et al (US 6,763,095) teach a unified messaging system and method.

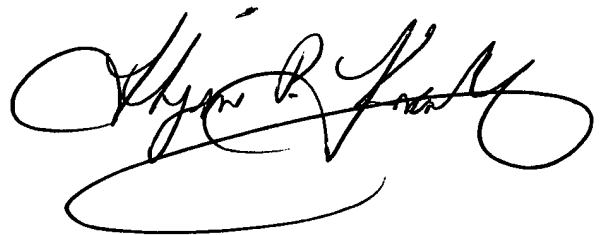
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

Art Unit: 2614

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thjuan P. Knowlin

A handwritten signature in black ink, appearing to read "Thjuan P. Knowlin", with a large, sweeping loop at the bottom.